

**Regular Meeting of the Board of Trustees
May 19, 2009**

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UNIVERSITY OF CINCINNATI

Official Proceedings of the

Two Hundred and Eighty-Eighth Meeting of the Board of Trustees

(A Regular Meeting)

May 19, 2009

The Two Hundred and Eighty-Eighth Session of the Board of Trustees of the University of Cincinnati was opened at 10:30 a.m. on Tuesday, May 19, 2009, in the Russell C. Myers Alumni Center of the University of Cincinnati. Notice of this meeting was given in accordance with Section 121.22 of the Ohio Revised Code. The proceedings of the Board, when not otherwise provided for by its bylaws, are governed by *Robert's Rules of Order*.

H.C. Buck Niehoff, Chairperson of the Board of Trustees, presided. Mr. Niehoff asked that roll be called.

BOARD MEMBERS PRESENT:

C. Francis Barrett, Margaret E. Buchanan, Stanley M. Chesley, Gary Heiman, Sandra W. Heimann, Thomas H. Humes, H.C. Buck Niehoff, Robert E. Richardson, Jr., and Jeffrey L. Wyler

BOARD MEMBERS ABSENT:

None

ALSO PRESENT:

Monica Rimai, Interim President;
Anthony J. Perzigian, Senior Vice President
for Academic Affairs and Provost;
Lou Billionis, Chair for Council of Deans;
Michael W. Carroll, Vice President of
Development and Alumni Affairs;
Sandra J. Degen, Vice President for
Research;
Mitchel D. Livingston, Vice President for
Student Affairs and Chief Diversity
Officer;

Mitchell D. McCrate, General Counsel;
James D. Plummer, Vice President for
Finance;
Fred Siff, Vice President for Information
Technology
David Stern, Vice President for Health
Affairs;
Gregory J. Vehr, Vice President for
Governmental Relations and
University Communications;
Greg Hand, University of Cincinnati
Spokesperson;
Otto Budig, Foundation Representative
Steve Simendinger, Alumni Representative
Marla Hall, Faculty Representative;
Makram Suidan, Faculty Representative
Diana Hechavarria, Graduate Student
Trustee
Seth Vensil, Undergraduate Student Trustee
Ryan Rosensweig, Student Representative
Susan Stringer, Executive Assistant to the
Board of Trustees and Sr. Vice
President for Administration and
Finance;
and the public

(Prior to the Board Committee Meeting and the Regular Board Meeting,
Chairman Niehoff began the proceedings at approximately 8:30 a.m.)

Mr. Niehoff:

Good morning everyone. We have two new faces at the board table this morning. I would like to welcome Tim Lolli, our new Student Government President and Representative to the Board. Tim is originally from Canton, Ohio. He is a fourth year marketing student at UC. He was sworn in by Interim President Rimai on May 15, 2009. Welcome, Tim.

I would also like to welcome Kyle Quinn, our new undergraduate student trustee. Kyle was appointed to the board by Governor Strickland on May 13th. He is a Michigan

native and currently lives in Cincinnati and is a first year Accounting student in the Lindner Honors-PLUS Program in the College of Business. Welcome, Kyle.

I would like to recognize and thank Ryan Rosensweig, Seth Vensil and Andrea Kornbluh for their outstanding service to the Board. If you would come forward, I would like to present a small token of our appreciation for your efforts on behalf of the University of Cincinnati and the Board of Trustees. (*Applause*)

Chairman's Update on Search Committee

Mr. Niehoff:

I am very pleased to make a report on the progress and activities of the Presidential Search Committee since it was established at the last meeting of this Board of Trustees.

To say the least the committee has been very busy. We have met four times, approximately every two weeks, beginning March 30. All of our meetings have been open to the public and various members of the media have attended the entirety of all of our sessions. Detailed minutes of each meeting are posted on the Web Page of the Search Committee and anyone interested in our deliberations is encouraged to review them. They describe some very stimulating discussions.

I am pleased to report that we have made significant progress on the first two steps of our task.

Our first step was to define the qualities and traits that we are looking for in our new president. Not only did the committee members discuss this among ourselves at our meetings, but we reached out for input from the many constituencies of the university. We have organized and met with approximately 18 separate groups including, among others (I'll just mention a few) the undergraduate students, the medical faculty, the UC

Foundation Trustees, leaders from local companies and civic organizations, the African American faculty and the list could go on and on. I met individually with each of our deans and the athletic director and we have e-mailed all of the people for whom the university has an e-mail address, which is about 40,000 individuals, and we asked them each for their input. We also met with the Chancellor of the Ohio Board of Regents. Summaries of all these input discussions have been prepared by the Search Committee members or the staff and they are available for your review, if you wish to do so, in the office of the Board of Trustees. We have attempted to be as inclusive and as transparent as we can be while, at the same time, keeping the process moving forward.

During the input or research stage we received many good ideas and the committee developed a fairly consistent understanding of the traits that are important to the broad constituencies of the university. In our deliberations, the Search Committee also learned to work with one another as a group and that will be valuable as we move forward to the next steps in the process.

The second step was to summarize our aspirations for our new president. Two members of the committee, Jeff Williams and Dean Valerie Hardcastle, were given this task along with Ellen Brown from our consulting firm Heidrick & Struggles. Technical assistance was provided by Karen Faaborg, Greg Hand and Susan Stringer. They have drafted the preliminary version of our Presidential Profile that describes what we are looking for in our new president. This document will be part of our official advertisement for the position. The Search Committee will be discussing this document at our meeting scheduled for 3:00 o'clock tomorrow afternoon and you are all welcome to come to that meeting. It is our goal to be in a position to publish our official notice about June 1, which is Nancy Zimpher's last official day at the University of Cincinnati.

The third stage in the process is receiving nominations and applications, which should occur during the month of June and into July.

The fourth step is to evaluate the resumes and to select candidates for initial interviews. This should occur in August and September.

The fifth step is that the Search Committee will make its final deliberations and its recommendations to the Board of Trustees for our consideration and the final decision. The goal continues to be to have our new president selected by the end of the year.

The Search Committee recognizes that the selection of our new president is very important to our 37,000 students, 14,000 employees and 230,000 alumni, as well as to many of our donors, civic groups and business entities in our community. We take very seriously our responsibility to pursue an orderly and systematic selection process that is inclusive and transparent, while moving forward with appropriate speed. I would say that I cannot imagine how we could have a process that has been more inclusive and transparent and we intend to continue in that spirit while balancing in a respectful manner the understandable and legitimate privacy rights of our prospective candidates.

I would welcome comments or suggestions or questions about the process thus far. There being none, we will continue with the agenda. We do have a full agenda today and I would like to ask my distinguished friend, Otto Budig, to give report from the UC Foundation.

Foundation Report

Mr. Budig:

Chairman Niehoff, President Rimai, members of the Board, good morning. On behalf of Chairman Jeff Williams and the trustees of the UC Foundation, it's my pleasure to be with you today.

“Proudly Cincinnati” is close to a very important milestone. I can announce that \$497, 938, 440 has been committed to UC in the campaign, slightly less than half of our campaign goal. With 4 years ahead of us, we remain confident that our \$1-billion-goal and it will be achieved.

Our volunteer leaders are taking this campaign well beyond Greater Cincinnati – in April the “Proudly Cincinnati” launched to great enthusiasm in New York City, supported by regional campaign chairman Dick Thornburgh. Additional launch events are coming May 30th in Chicago at Arlington Park Racecourse. I might add that all winnings will come to the UC Foundation. We will be supported by Chicago chair Bob Fealy, and in Washington D.C. on June 18th with regional chair Todd DeGarmo. The Washington event at the University Club renews some unique ties to UC – the first president of the University Club in 1904 was UC alumnus and future U.S. President William Howard Taft.

Our Foundation trustees and campaign volunteers remain deeply committed to the effort and we’re lucky to have such an engaged and committed leadership team.

The UC Foundation Board meeting was on April 25th was well-attended by trustees from throughout the country. Among our meeting highlights, the Board passed 2 resolutions:

- The first proclaiming the Board’s gratitude to President Zimpher for her dedicated service to UC, with a firm belief that her legacy will endure as our University navigates the challenges of the 21st Century.

- The second acknowledging Marjorie McCullough Motch as the most recent recipient of the William Howard Taft Medal for Notable Achievement, UC's highest alumni honor that recognizes career contributions in a graduate's field. Marjorie has been a prominent civic leader, many of you know her, virtually all of you know her, and she has been that civic leader for many years in Greater Cincinnati and has served UC as a Foundation trustee for 27 years.

Finally, on campus, the 5th annual UC Faculty/Staff Campaign kicked off May 1st. The Foundation's Annual Giving office is using web-based technology that allows faculty and staff to serve as fund-raising leaders for their programs and departments. Through this person-to-person approach, we hope to break our record of 2,300 donors. The campaigns have been enormously successful. More than \$40 million has been raised since the first campaign, demonstrating a workforce that is committed to this university and that truly believes in the University of Cincinnati's mission.

Finally, I'm pleased to announce a recent grant to UC of slightly more than \$1 million from the Bernard Osher Foundation, which will benefit the Osher Lifelong Learning Institute. The Osher Foundation previously provided a \$100,000 grant for building, marketing, and membership expansion activities of the Institute. After exceeding the goals and objectives of that grant, the university applied for and received additional endowment funding. The Osher Lifelong Learning Institute at UC is one of the oldest, largest, most successful programs for active adults age 50 and above in the United States.

As a volunteer, I continue to take great personal pride in all our efforts to advance the University of Cincinnati. I look forward to keeping you updated as time goes on and I hope you'll find this a good report. Thank you.

Mr. Niehoff:

Indeed, yes, thank you.

Now I would like to call on Dr. Caroline Miller to give us an enrollment update.

(Caroline Miller, Ph.D., Associate Vice President for Enrollment Management, gave the following enrollment update information.)

Dr. Miller:

Thank you and good morning. You no doubt saw or heard in media reports about UC's Freshmen enrollment confirmations. Same date comparisons have us roughly up 12.8% or 4500 students on the Uptown campus and approximately 15% up across our 3 campuses. Less clear in the media reports are the realities that we are also up in students of color, up in transfers, and dead even in last year's record quality numbers. The class includes about 1000 Cincinnati Scholars, 81 Choose Ohio First Scholars, 30 National Merit Scholars, 13 Turner Scholars and a host of students awarded by their respective colleges. It also includes about 300 students from the Cincinnati Public Schools – many of whom are included in the above categories as well. New this year – William Mason High School passed Oak Hills as our number one feeder. Our top 20 high schools are indeed a list coveted by many.

I'd like to think these results are not accidental – they are closely tied to the Deans' goals for growth as growth is part of the strategy to mitigate budget cuts. In growing there was also a clear priority not to sacrifice the academic quality gains of last year. Unlike other campuses, we've not had additional recruitment or scholarship dollars

to apply to this effort. My fervent hope and expectation is that Proudly Cincinnati will assist us in that regard and I am personally committed to be anywhere I need to be to assist in that effort – we have a great story to tell.

Our yield strategies down the stretch range from enhanced communications from a students' college of admission, to an investment in some pretty quirky and aUdaCious billboards in Cincinnati and Columbus. We have some yield data to suggest that this investment had a real ROI. UC also hosted a series of receptions in the stretch run in partnership with housing and other units and colleges on campuses. Our Salute to Excellence brought numerous students of color that had been accepted to UC. We hosted a CPS reception, which was really a working reception, to try to get students who have typically been slow to action to take care of business so their business is done at the point where they need to be in their classrooms in the fall. We also in partnership with Housing hosted a Saturday Slam to show off the benefits of living on campus to students from beyond fifty miles. We are indebted to much collaboration across the campus.

But never one to waste a good analogy, in an internal communication, I compared UC's stretch run to that of the Kentucky Derby winner. You must agree, that was an amazing run down the rail – and UC experienced similar results in terms of confirmations. The strong run by Rachael Alexander in the Preakness from the 13th post can be instructive as well – that never happened there before (and by a filly). If your tastes run to Indy car racing, bump day is also instructional as to how much effort, belief and the tweaking of little things make a significant difference as to whether or not you are in the race.

That said, there are many variances and vagaries in this economic climate and our work is not complete. We are re-doubling our communications around Orientation and are being proactive with both our new students and continuing students with Financial aid irregularities. Our confirmations are in excess of the goals by about 200 students and that gives us some room for predictable melt. These are challenging times for our families – we understand our critical role in the education of options – we also understand that institutionally we cannot solve all problems.

As I talk to colleagues across the country – good publics in metropolitan areas appear to have done well in this climate. So I leave you with some context to place all this. The context is one of the many things one cannot do or be or spell without UC – Consider tUrboCharged, aUdaCious , awestrUCk , UnmatChed, and maybe, just a little Un-expeCted This is a peek at our marketing plan to take UC to the next level. I can't being to tell you how proud and appreciative I am of our broadly defined enrollment team they make it happen just like a well designed pit crew.

Oh, there is one word we did not have the nerve to post publically but have enjoyed inside the family. One more thing one cannot do, be or spell without UC – A bUCkeye – of course. Thank you for your support.

Mr. Niehoff:

Congratulations. Any questions or comments for Caroline? Dr. Wyler, as a race care driver do you have any thoughts.

Mr. Wyler:

I was a little unhappy there was no NASCAR but you had the Indy cars in there. Caroline, you are doing a heck of a job so you are okay.

Mr. Niehoff:

Thank you, Dr. Wyler. Now we have the comments of our great Interim President Monica Rimai.

Report of the Interim President

Ms. Rimai:

Thank you Mr. Niehoff and good morning everyone. I have to say it's way better to participate in this meeting from this vantage point. It's a lot better to be able to see the

crowd than to feel their eyes in your back. I commend that to my colleagues, Dr. Perzigian and Mitch McCrate. You might want to flip your chair around.

I'd also like to add my voice of congratulation to Caroline Miller. Dr. Miller really does lead an outstanding team and, of course, she benefits from the wisdom Dr. Livingston as well as, I have to say, this year a phenomenal university-wide effort at managing the relationship between enrollment and revenue. We really have everybody to thank for that from our wonderful to the Provost's Office to Finance and to Student Affairs. This has really been a collaborative effort and I think we are seeing the results of that.

I would also like to add my heartfelt thanks and to the leadership offered by Ryan Rosensweig, Seth Vensil and Andrea Kornbluh. I would say to you that you enjoy a piece of a lasting legacy here at UC which is the efforts that we have taken to be far more transparent and to embrace the participatory nature of the way we engage in decision making. Clearly that is a cornerstone of shared governance and we are absolutely grateful for the role that the three of you have played in making sure that is an institutionalized concept here at UC. So thank you very much and of course, welcome to Kyle and Tim, we look forward to working with you and already feel your enthusiasm and excitement for the positions. Thank you very much.

There has been a lot going on since March 17th. I can't possibly list all of the good news, but I will try to give you all a brief summary. Of course, we need to start with the wonderful experience with the Higher Learning Commission and our work around accreditation. All I need to do is quote the leader of the accreditation team, Celestino Fernandez, when he said, and this absolutely is a quote: "The team found a much improved university, a transformed university that better serves its constituents." I think that really sums it up. Of course, we won't know for sure what the results are until we get the final report, but in terms of accreditation, a ten-year accreditation, all things are looking very good. I would like to personally thank those trustees who participated in the process, you really made a difference and that was noted to me on our exit interview.

Once again, to Larry Johnson and Ralph Katerberg for providing leadership during this accreditation process and Nelson Vincent who really did keep the trains running on time. I think we need to send Nelson to Washington, DC to the Pentagon, because if anyone could clean that up it truly would be Dr. Vincent. So, thanks to the three of you for your efforts here.

Another event that I enjoyed that occurred in April was the inaugural Diversity Conference. This was an effort led by Student Affairs and our Diversity Council. It was a terrific event with more than 300 people attended and participating in individual meetings and conferences with our keynote speaker being Mayor Mark Mallory. I want to congratulate again Dr. Livingston for organizing a terrific event and one that I think we'll look forward to enjoying every year.

Also on the docket in April was a Joint Faculty Senate, Undergraduate Student Government and Graduate Student Governance Association meeting that was held on April 14th. I would like to thank Dr. Marla Hall, Ezgi Akpinar, and, of course, Ryan Rosensweig for organizing what I thought was really a terrific event and opportunity to bring forward some shared concerns and issues and, frankly, opportunities. It was a terrific event and one that I hope you will continue.

I personally enjoyed on May 7th attending the College of Applied Science Tech Expo at the Duke Energy Center. From cars that go over 500 miles per gallon—which frankly given today's announcement in Washington, DC about new emission standards, it is a very timely effort—to emergency mobile units to provide communication during storms, it was a remarkable event and really a wonderful opportunity to see the capstone activities of our students in Applied Sciences as well as Engineering.

Last Friday, joined by Mr. Niehoff, we had our fourth annual MainStreet Stride celebrating our campus, our students and our All UC Campaign. We enjoyed celebrating the efforts of our Dance Team, our now nationally and internationally renowned UC

Dance Team as well as participation of about 900 folks – most of whom were actually in the parade – so we still need to work on the spectator participation. It was a lot of fun and something that I very much enjoyed participating in.

On the research front, we have a great deal to celebrate. UC and its affiliated health care partners received the wonderful news that we were named as the recipient of a clinical/translational science award in the amount of nearly \$23 million. Of course, the money will be well used, but perhaps of greater importance is this status as a CTSA institution will enable us to apply for other National Institutes of Health (NIH) opportunities down the road. We are really in some rarified air here and congratulations to all of those who participated in securing the CTSA. I think our dean at the College of Medicine, David Stern, and our Vice President for Research, Sandra Degen, also deserve special consideration for their leadership in securing this award.

Other awards:

- Clermont College won a national award for service learning and community service from the Community College National Center for Community Engagement for their work with Boys and Girls Cubs, Clermont Senior Services, Cincinnati Reads, Child Focus and school districts in Clermont County.
- Dr. Randy Seeley, in psychiatry, will be receiving the Outstanding Scientific Achievement Award from the American Diabetes Association.
- Alvin Crawford, professor of pediatric orthopedic surgery, is one of this year's Trumpet Award winners, an honor recognizing the accomplishments of African-Americans who have succeeded against all odds.
- Two CCM students, Melanie Lahti and Blake Richardson, have won Fulbright Scholarship to study overseas next year. They are joined by a Fulbright Scholar

from the faculty, one of our Communication Professors, Gail Fairhurst, went to Sweden for the month of April.

- And finally, on the environmental front, we are pleased to announce that the flooring in our CARE/Crawley building, which is made from recycled glass and wood, won an Environmental Achievement Award from Starnet Worldwide Commercial Flooring Partnership.

That concluded my good news remarks for this board meeting. With that, I will turn to what I really believe is my favorite feature of our board meetings and that is the opportunity to hear from a member of our esteemed faculty. Those of you who are fans of Educational Television, as I am, will be familiar with Dr. Ken Tankersley. He is an Assistant Professor of Anthropology, he is also an archaeologist and has been featured on many documentaries and on cable TV -- including the History Channel in April, the Discovery Channel last year, as well as Nova, the BBC, National Geographic and many others. He is going to present to us on his areas of interest and the floor is yours Dr. Tankersley. Welcome.

(Kenneth R. Tankersley, PhD, gave a presentation on Ohio Valley Archaeology: Exciting New Discoveries in Cincinnati utilizing PowerPoint slides. A copy of the presentation is on file in the Office of the Board of Trustees.)

Dr. Tankersley:

Thank you. It is a great pleasure and honor to be here to talk to you today about my research. I am truly humbled and at the same time I feel quite comfortable here. I earned my Baccalaureate and Masters degrees here at the University of Cincinnati, so it seems only appropriate to be speaking in the Alumni Center. It is especially gratifying, my mentor, Tony Perzigian is here and this research would not be here without Tony.

What I would like to do today is talk to you briefly about the archaeology of the Cincinnati area. When you think about archaeology you might think of China, Egypt,

Italy, Greece, South America, the Valley of Mexico, but Cincinnati? I would argue that perhaps the most fascinating, the most intriguing and some of the most interesting unsolved archeological problems are right here in our own backyard, right within the Cincinnati area.

This past summer we continued a long-standing research program in conjunction with the Hamilton County Park District, Ohio's first and largest national registered district, Shawnee Lookout Park. Initial excavations began there in 1965 under Fred Fischer and continued on under Ken Vickery and they have passed the torch on to me.

Shawnee Lookout is a fascinating site with more archaeological sites documented within a fourteen hundred acres than anywhere else within the state of Ohio. The great thing about it for our students is that it is within a short driving distance. In other words, students can work on an archeological site, learn by doing and go home in the evening or work at a part-time job.

Our archaeological field schools provide students with hands-on, in-the-field, learn-by-doing experience. I would argue that the research experiences which they have gleaned from our archaeological field school will be with them for the rest of their lives. It is one thing to go to a class and attend, but to actually learn by doing, for me, it's one of the best and most gratifying experiences. Students learn the nuts and bolts of archaeology and as this is the 21st century, I connect them with state-of-the-art techniques such as drill core sampling including interdisciplinary techniques that cut across geography, geology, biology, chemistry and even physics.

Here we're looking at using a geophysical technique known as magnetic susceptibility which allows us to use magnetic signals that we find in the soil and actually see what's in the subsurface without digging as well as using ground penetrating radar. These days, earthen mounds, earth works which we found throughout the Cincinnati area and the entire Ohio Valley, are precious non-renewable resources. A lot of people wondered do we really need to excavate these sites. In many cases, the answer is no.

Using ground penetrating radar we can actually see through the earth and see the contents of the mounds better than we can actually if we excavate the sites themselves.

Our research focuses on how people adapted to climate change in the past. We are living in a period of very rapid profound climate change and regardless of causality, how are we going to adapt? I would argue that a lot of our answers to the future actually can be found in the past. In this regard, one of our focuses is collecting paleoenvironmental data, here we are using a technique known as flotation which is a great technique especially when it's near 100 degrees outside. Lots of cold water. Ultimately, we obtain evidence from flotation which tells us how people made a living and how they adapted to the changing climate within the past.

But as Dr. Perzigian once told me in a class and I have never forgotten it, no matter how focused our research strategies are, a significant aspect of anthropology (and truthfully all sciences) is serendipity and that happened to us this past summer. What you are looking at here is a profile of an excavation wall and you can see this blackened area. This blackened area dates very precisely we had thirty radio carbon dates that showed that this layer dates to approximately 13,000 years ago. Well, that wasn't surprising. What is surprising is that this layer was full of what we call nanodiamonds. Nanodiamonds of this type are impact diamonds, the result of an explosion. They are very important today in medicine to deliver chemotherapy and they are actually being synthetically produced, but nature produced them in the past. In this case, some type of catastrophic explosion must have occurred at this time period. The other clue was here you are looking at a scanning electron micrograph on the top (b) is what we call lonsdaleite. Lonsdaleite is a very specific type of diamond. This diamond does not occur naturally on the earth. It's found in meteorites, it's found in asteroids, and it's found in asteroid and meteorite impact craters. One of the few places on the planet was in this excavation unit. Not only that, when we take a magnet and go along this black layer, there are so many meteorites that you can pick them up with a child's toy, one of these strong magnets that you can find. The nanodiamonds, the micrometeorites, the lonsdaleite, the very rare hexagonal diamond, is absent in the layers above or below. In

other words, something that happened here in Ohio approximately 13,000 years ago – a catastrophic impact. We are not exactly sure what it was. Was it a comet that exploded in the atmosphere? Was it a large meteorite or was it an asteroid?

The discovery of this event, thanks to an absolutely wonderful publicist, Carey Hoffman of the University of Cincinnati, made a news release and he said it was one of the biggest University of Cincinnati stories that literally went around the world. You can google this event and you name the language – it doesn't matter if it is Mandarin Chinese, Russian, Arabic or what have you, you will see a discussion of this event. And, of course, it attracted the attention of documentary film crews such as National Geographic, the History Channel and also PBS. There were four films that came out of this research and we brought the film crews here to the University of Cincinnati. We involved our students and engaged them and was able to enlist one of our students as a production photographer for National Geographic. These are two of the History Channel movies, the National Geographic film and I have a brief film clip that I'd like to show you that was actually filmed here at the University of Cincinnati. I wanted to showcase the wonderful research program and facilities that we have at this university.

(Video clip was shown)

The exciting thing about this research is it enthused and engaged the public. As a result, a philanthropist by the name of John and Georgia Court, the Court Family Foundation, recently donated \$50,000 to archeological research here in the Cincinnati area and they donated \$500,000 to create the Court Archaeological Research Foundation, a state-of-the-art archaeological research facility that will be part of our new University of Cincinnati Center for Field Studies. Thank you.

(Applause)

Ms. Rimai:

Thank you Dr. Tankersley – it is very much appreciated. Moving on with our next presentation, I think it has probably been about three years ago that this body approved the creation of a Compliance Board to respond to the increasing exposure to compliance issues. I have often said that higher education is one of the most heavily regulated, if not the most regulated, industry in the United States. We literally have thousands of statutes and rules and regulations that we are required to comply with. In order to get our act together and have a more organized approach to this compliance burden, we created and you all endorsed the Compliance Board. Here to give you an update on where we are with the board is General Counsel Mitch McCrate and Associate Vice President and Director of Internal Audit, Christine Ackerman.

(Mitchel D. McCrate, JD, General Counsel and Christine Ackerman, Associate Vice President and Director of Internal Audit gave a Compliance Board Activity Update utilizing PowerPoint slides. A copy of the presentation is on file in the Office of the Board of Trustees.)

Mr. McCrate:

Thank you and good morning. In contrast to the prior presentation, if the Compliance Board does its job we will never attract any public interest. The University of Cincinnati, as you know, is a large and complex institution and it follows that we have many compliance issues that we deal with on a daily basis. Those range from employment, to research to environmental, to athletics – you get the idea. Because these responsibilities are very diverse, compliance in many large institutions is sometimes handled well in an uncoordinated fashion and that is not the model we chose to adopt at the University of Cincinnati. As Monica alluded, the Compliance Board was formed in 2006, it was a result of recommendations from a task force that was convened by President Zimpher, and the mandate of the Compliance Board was to monitor institutional compliance with applicable laws and regulations. It is also to oversee educational efforts. We need to educate our employees and our students on compliance

issues that they need to attend to and also to recommend administrative actions and set administrative priorities on the compliance area.

Now originally this group functioned as a committee of the whole. There were representatives from the various compliance regimes that we have here at the university and this large group met periodically to set compliance priorities. It really made sense in the initial phase because one of the first tasks of the Compliance Board was to do an inventory of all the various compliance obligations that we had to figure out who the responsible officials, as we now call them, for the various compliance obligations were. Once that task was more or less completed; however, it became obvious that this was a very large and unwieldy body. So recently we have undergone a reorganization of the Compliance Board. The folks that were originally meeting we now call responsible officials are responsible for the various compliance buckets and are still a group under the Compliance Board, but they will meet infrequently. And that task largely is to monitor those specific compliance areas and also to report up to what we now set up as the Executive Oversight Committee of the Compliance Board.

The Executive Oversight Committee is composed of the Senior Vice President for Administration and Finance, the Vice President for Research, the Provost, the Vice President for Student Affairs, General Counsel, Director of Internal Audit and a faculty representative. Again, this Executive Oversight Committee, their job is to monitor overall institutional compliance, to evaluate and prioritize compliance risks, to formulate institutional strategies for compliance and keep the board and president apprised of its obligations.

Assisting this group we've set up a Compliance Advisory Subcommittee and Christine and I are on that group along with three other individuals. This subcommittee is really charged with doing the heavy lifting. We serve as the liaison between the responsible officials in the Executive Oversight Committee and we make sure that new compliance issues that arise have a responsible official attached to them and the institution is responding appropriately as new compliance obligations appear. We also

recommend to the Executive Oversight Committee compliance priorities and strategies. Now I'm going to turn it over to Christine and she will talk about some recent activities that we have engaged in.

Ms. Ackerman:

So Mitch talked about the reorganization of the Compliance Board and the development of the compliance inventory. What we have also been doing is meeting with each of the responsible officials to get an understanding of the types of compliance framework that each responsible official has in place; in other words, the types of policies, procedures, monitoring that they do over their compliance requirements and the types of training that they do for the university community. And what we have learned is that there are a lot of great tools out there that these responsible officials have in place, but sometimes it is kind of difficult to find what you are looking for because since Compliance is decentralized and is the responsibility of these responsible officials across campus, it is kind of hard to find the tools at times. So we have developed a Compliance web site and I am going to show you what it looks like here. Now obviously, the print here is very small, we made the print especially small and fine to appease our attorney, Mitch McCrate here, but what is really important is that you just get a feel for what the web site looks like. This is a draft of our web site. It's not really important that you digest the content right now, but this is what the web site will look like when it goes live. We expect it to go live next month.

What we've done is we have bucketed the compliance requirements into kind of various categories so there is a large category for research and a category for athletics, fiscal and that type of thing. What this is supposed to be is a tool for the university community. So if someone in the university community had a question about compliance, hopefully they'd be able to find it relatively easily in this kind of centralized location. So, for instance, if someone had a question about employment of students we have a section down there for students, they could click on employment of students and that would take them to a subdirectory which lists various links to policies, procedures, employing students, we have a link to employing international students. You get the feel.

It's supposed to be kind of a one stop shop for compliance questions you might have to hopefully get you to the right spot.

Also on the Compliance Home Page is a link to our anonymous reporting hotline so if you had an issue that needed to be reported anonymously you could click on that link and do so there. We've got other resources such as our university code of conduct, a list of responsible officials and that type of thing. Does anyone have any questions for Mitch or me?

Ms. Rimai:

Great and thank you for the update, we appreciate it. (*Applause*) Please, compliance doesn't get applause. (*Laughter*)

Our last presentation is just a quick follow on to a resolution the board passed at the March 17th board meeting regarding the Strategic Plan for Research. I turn it over to Vice President Sandra Degen.

Dr. Degen:

Thank you, Monica. This is a very short presentation to just let you know that at the March meeting of the Board of Trustees it was discussed as part of the Maintaining Momentum presentation that the Office of Research would be putting together a new Strategic Plan for Research. That has been done along with the Research Officers of the University, a group that is comprised by the Associate Deans for Research and Graduate Education from every college as well as other research units within the university. We are now in the process of taking that Strategic Plan through the shared governance process. I've been to about five or six different meetings, people like Marla Hall have heard it from me many times. And that process will be completed in June and then the final Strategic Plan based on input from these various committees where I am getting a lot of nice input will be put together into the final Strategic Plan and presented to you at a future Board of Trustee's meeting. That is the status. The promise was made during the Maintaining the Momentum presentation that I would be here to present it to you today,

but we felt, along with President Rimai that it was best to take it through a lot of committees, but again I am getting a lot of good input.

Ms. Rimai:

Thanks very much Sandra – appreciate the update. With that, I will turn it back over to you Buck.

Mr. Niehoff:

Thank you, Monica. Now we will begin our committee meetings. The first meeting will be the Academic and Student Affairs Committee and I would call upon Chairman Tom Humes.

THE BOARD COMMITTEE MEETINGS

(Proceedings of the Board committee meetings are contained in the respective committee meeting minutes, which are on file in the Office of the Board of Trustees.)

The committee meetings began at 9:20 a.m.; the meetings concluded at 10:30 a.m.

THE REGULAR MEETING OF THE BOARD OF TRUSTEES

The Regular Meeting of the Board of Trustees was convened at 10:30 a.m. and, as noted on the first page (page 1) of these minutes, roll call was taken.

Approval of the Minutes of the March 17, 2009 Regular Meeting and the March 30, Special Meeting

Mr. Niehoff called for additions, corrections, or deletions to the minutes of the Regular Meeting of the Board of Trustees of March 17, 2009 and the Special Meeting of the Board of trustees of March 30, 2009. Upon motion of Mr. Barrett; seconded by Mr. Humes, the minutes were approved as distributed.

Approval of the Items Recommended by the Board Committees

Listed below are the items recommended to the Board of Trustees for approval by the Academic and Student Affairs Committee, the Finance and Administration Committee, and the Governance and Audit committee at their respective meetings held on May 19, 2009, prior to the Regular Meeting of the Board of Trustees.

Academic and Student Affairs Committee Recommendations

09.05.19.01 ACADEMIC APPOINTMENTS

Synopsis: Appointments of Faculty and Academic Administrators

It is recommended that the Board of Trustees approve the academic appointments of faculty identified in the attached document. These recommendations have been approved by the appropriate departments, colleges, and offices of the Vice President for Health Affairs and the Senior Vice President for Academic Affairs and Provost.

Appointment

| | |
|--------------------|--|
| John Holden, Ph.D. | Associate Professor of Psychology with Tenure McMicken College of Arts and Sciences Effective: September 1, 2009 |
|--------------------|--|

Appointment Extension

| | |
|--------------------|--|
| Mark Goddard, M.D. | Chair Department of Physical Medicine and Rehabilitation College of Medicine Effective: September 1, 2009, until a new director is identified |
|--------------------|--|

Emeritus Status

| | |
|-------------------|--|
| Linda Baas, Ph.D. | Professor Emerita of Nursing College of Nursing Effective: April 1, 2009 |
|-------------------|--|

| | |
|----------------------|--|
| Dorothy Byers, Ph.D. | Senior Librarian Emerita University Library Effective: August 31, 2009 |
|----------------------|--|

| | |
|----------------------|--|
| Norma Jenckes, Ph.D. | Associate Professor Emerita of English and Comparative Literature McMicken College of Arts and Sciences Effective: July 1, 2009 |
|----------------------|--|

| | |
|-------------------------|---|
| Tom LeClair, Ph.D. | Professor Emeritus of English and Comparative Literature McMicken College of Arts and Sciences Effective: September 1, 2009 |
| Charles Margolis, M.D. | Professor Emeritus of Family Medicine College of Medicine Effective: April 1, 2009 |
| Kenneth Metz, M.B.A. | Associate Professor Emeritus of Physics College of Applied Science Effective: January 1, 2010 |
| Diego Murio, Ph.D. | Professor Emeritus of Mathematical Sciences McMicken College of Arts and Sciences Effective: July 1, 2009 |
| Chester Pryor, II, M.D. | Professor Emeritus of Ophthalmology College of Medicine Effective: May 1, 2009 |
| Barbara Ramusack, Ph.D. | Professor Emerita of History McMicken College of Arts and Sciences Effective: September 1, 2009 |
| Lawrence Raymond, M.D. | Professor Emeritus of Ophthalmology College of Medicine Effective: May 1, 2009 |
| Judith Schultz, Ph.D. | Professor Emerita of Biology Raymond Walters College Effective: September 1, 2009 |
| David VanGinkle, M.D. | Professor Emeritus of Pediatrics College of Medicine Effective: July 1, 2009 |

09.05.19.02 RECOMMENDATIONS FOR TENURE AND PROMOTION

Synopsis: Approval of tenure and promotions

It is recommended that the Board of Trustees approve granting of tenure and promotion for faculty effective September 1, 2009, according to the attached list. These recommendations have been approved through the process of progression through the departments, colleges and the Senior Vice President for Academic Affairs and Provost.

FROM ASSOCIATE PROFESSOR TO PROFESSORCollege of Applied Science

| | | |
|-------------|---------------------|------------|
| Rajiv Soman | Chemical Technology | Has Tenure |
|-------------|---------------------|------------|

McMicken College of Arts and Sciences

| | | |
|-------------------------|-----------------------|------------|
| Katharina Gerstenberger | German Studies | Has Tenure |
| Anna Gudmundsdottir | Chemistry | Has Tenure |
| Margaret Hanson | Physics | Has Tenure |
| P. Neal Ritchey | Sociology | Has Tenure |
| Ning Zhong | Mathematical Sciences | Has Tenure |

College of Business

| | | |
|-----------------|---------------------|------------|
| Vivek Choudhury | Information Systems | Has Tenure |
| Marianne Lewis | Management | Has Tenure |

Clermont College

| | | |
|----------------|--------------------------|------------|
| Margaret Hager | Science/Math/Engineering | Has Tenure |
|----------------|--------------------------|------------|

College-Conservatory of Music

| | | |
|----------------|---------------------|------------|
| Russell Burge | Performance Studies | Has Tenure |
| Richard Hess | OMDA | Has Tenure |
| k. Jenny Jones | OMDA | Has Tenure |

College of Education, Criminal Justice, and Human Services

| | | |
|--------------------|-------------------------|------------|
| Mary Brydon-Miller | Ed Studies & Leadership | Has Tenure |
| Keith King | Health Promotion & Ed | Has Tenure |

College of Law

| | | |
|---------------|-----|-------------|
| Adam Steinman | Law | With Tenure |
|---------------|-----|-------------|

College of Nursing

| | | |
|------------------|---------|------------|
| Christine Savage | Nursing | Has Tenure |
|------------------|---------|------------|

Raymond Walters College

| | | |
|----------------------|----------------|------------|
| Mary Kaye Scaramucci | Dental Hygiene | Has Tenure |
|----------------------|----------------|------------|

FROM ASSOCIATE LIBRARIAN TO ASSOCIATE SENIOR LIBRARIANRaymond Walters College

| | | |
|-----------------|--|-------------|
| Heather Maloney | | With Tenure |
|-----------------|--|-------------|

FROM ASSISTANT PROFESSOR TO ASSOCIATE PROFESSORMcMicken College of Arts and Sciences

| | | |
|--------------------|---------------------|-------------|
| Elke Buschbeck | Biological Sciences | With Tenure |
| Heidi Kloos | Psychology | With Tenure |
| Claude Lopez | Economics | With Tenure |
| James Mack | Chemistry | With Tenure |
| Jeffrey Timberlake | Sociology | With Tenure |

College-Conservatory of Music

| | | |
|---------------|----------------------|-------------|
| David Berry | Comp, Music & Theory | With Tenure |
| Michael Fiday | Comp, Music & Theory | With Tenure |

College of Design, Architecture, Art, and Planning

| | | |
|----------------|-----|-------------|
| Kimberly Paice | Art | With Tenure |
|----------------|-----|-------------|

College of Education, Criminal Justice, and Human Services

| | | |
|--------------------|-----------------------|-------------|
| Victoria Carr | Teacher Education | With Tenure |
| Liliana Guylar | Health Promotion & Ed | With Tenure |
| Marshella Harkness | Secondary Education | With Tenure |

College of Engineering

| | | |
|------------------|-------------------------|-------------|
| Jason Heikenfeld | Elec & Comp Engineering | With Tenure |
|------------------|-------------------------|-------------|

College of Nursing

| | | |
|----------------------|---------|-------------|
| Donna Shambley-Ebron | Nursing | With Tenure |
|----------------------|---------|-------------|

The James L. Winkler College of Pharmacy

| | | |
|---------------|----------|-------------|
| Pamela Heaton | Pharmacy | With Tenure |
|---------------|----------|-------------|

Raymond Walters College

| | | |
|-------------------|-------------------------|-------------|
| Jacquelyn Gibbs | Nursing | With Tenure |
| Joel Helms | Math Physics & Comp Sci | With Tenure |
| Barbara Kunselman | Dental Hygiene | With Tenure |
| Jennifer Marshall | Behavioral Sciences | With Tenure |

TENURE ONLYCollege of Design, Architecture, Art, and Planning

Oscar Fernandez, Associate Professor of Design

The James L. Winkle College of Pharmacy

Karen Gregerson, Associate Professor of Pharmacy

Raymond Walters College

David Hartz, Associate Librarian
Fabio Santos, Associate Professor of Mathematics
Cenalo Vaz, Associate Professor of Mathematics

09.05.19.03 DEPARTMENT NAME CHANGE

Synopsis: Department name change in the McMicken College of Arts and Sciences

It is recommended that the Board of Trustees approve the name change of the Department of African and African American Studies to the Department of Africana Studies in the McMicken College of Arts and Sciences.

09.05.19.04 COLLEGE REORGANIZATION

Synopsis: College reorganization in the College of Education, Criminal Justice, and Human Services

It is recommended that the Board of Trustees approve the reorganization of the College of Education, Criminal Justice, and Human Services. (Attachment*)

Finance and Administration Committee Recommendations

09.05.19.05 AMENDMENT OF UNIVERSITY RULE 3361: 50-3-02
University faculty: Bylaws

Synopsis: It is recommended that the Board approve the amendment to University Rule 3361: 50-3-02 to create a standing committee of the Faculty Senate on Research and Scholarship and to remove the draft ballot provision from the section on electronic balloting.

At the October 2007 All University Faculty meeting, two amendments to the university Faculty bylaws were approved:

1. The creation of a standing committee of the Faculty Senate on Research and Scholarship in Article II, Section 11 (vii) and the addition of the chair of the standing committee becoming a member of the cabinet in Article II, Section 10 (k); and
2. The removal of the draft ballot provision from Article III, Section 4.

Since research and scholarship are central to the work of the faculty, the creation of a standing committee of the Faculty Senate on Research and Scholarship is appropriate. The draft ballot provision, in practice, has failed to yield additional nominees for vacancies on senate and all-university committees and it thus serves only to extend the election cycle. Given its ineffectiveness, removing the provision will streamline the election process without impacting negatively on the breadth of participation in faculty governance. A copy* of the Rule that incorporates the proposed amendments is attached.

09.05.19.06 AUTHORIZATION TO REFUND GENERAL RECEIPTS OBLIGATIONS
OUTSTANDING DEBT

Synopsis: Authority is requested to issue general receipts obligations to refinance existing outstanding debt if reductions in debt service can be realized, to react to market conditions, or to manage and/or improve the university's cash flow.

*Filed in the office of the Board of Trustees

This is not a request for new debt authority, but rather for a refunding authorization that would allow the university to quickly and responsibly respond to changes in the market place. Any action will be considered based on analysis and advice by appropriate internal and external university advisors and/or consultants.

The board previously approved refunding authority under various refunding resolutions beginning in 1992. The more recent board resolutions numbers are 04.6.22.21, 05.3.29.12, 07.03.27.15, and 08.3.18.08. From September 1992 through April 2009, \$522,620,000 of refunding bonds were issued, which achieved debt service reductions exceeding \$19.1 million and realigned a portion of the university's debt portfolio.

The authority granted within this resolution will not materially increase the amount of outstanding university debt as existing debt will be replaced as a result of any refunding activity. Refunding authority is necessary to adjust quickly to changes in the market environment. Examples of how this authority was used in the last 12 to 18 month are as follows:

- Auction Rate Securities (ARS) obligations which comprised less than 4% of the outstanding debt was quickly refunded before the ARS market collapsed in February 2008 thus avoiding potential remarketing concerns as well as higher interest rates.
- In April 2008, Series 2008B variable rate bonds were issued to refund near term bond maturities in order to improve university cash flow as part of the university's plan to increase liquidity reserves.
- Two variable rate issues were refunded during FY09 by the university to adjust to market preferences in order to produce lower interest rates.

It is recommended the University of Cincinnati Board of Trustees approve the attached resolution* that authorizes the issuance of not to exceed \$350,000,000 general receipt obligations to refinance outstanding general receipts obligations should favorable market conditions provide additional opportunities to achieve debt service reductions, to react to market conditions or to manage and/or improve the cash flow of the university.

09.05.19.07 AUTHORIZATION TO REFUND OUTSTANDING CERTIFICATES OF PARTICIPATION

Synopsis: Authority is requested to authorize and direct the execution and delivery of one or more lease agreements in connection with the refinancing of certificates of participation issued for the benefit of the university if reductions in debt service can be realized, or to react to market conditions, or to manage and/or improve the University's cash flow.

This is not a request for new debt authority, but rather a request for refunding authorization that would allow the university to quickly and responsibly respond to changes in the market place. The attached resolution authorizes the execution and delivery of lease agreements to refinance outstanding certificates of participation, for the purpose of lowering debt service costs, to react to market conditions or to manage and/or improve the cash flow of the university. Currently the university has \$109,055,000 outstanding in certificates of participation. Any action will be considered based on analysis and advice by appropriate internal and external university advisors and/or consultants.

The board previously approved refunding authority under various refunding resolutions. The more recent board resolution numbers are 04.6.22.21, 05.3.29.12, 07.03.27.15, and 08.3.18.08. From September 1992 through February 2009, \$81,275,000 of refunding certificates of participation have been issued, which achieved debt service reductions exceeding \$3.7 million.

*Filed in the office of the Board of Trustees

It is recommended that the University of Cincinnati Board of Trustees authorize the execution and delivery of lease agreements to refinance outstanding certificates of participation, should favorable market conditions provide additional opportunities to achieve debt service reductions, to react to market conditions, or to manage and/or improve the University's cash flow.

09.05.19.08 GENERAL RECEIPTS OBLIGATIONS (RENEWAL)

Synopsis: It is recommended that the Board of Trustees approve the attached resolution, which renews the authority to issue General Receipts Obligations, of the University of Cincinnati, not to exceed \$301,679,979.

This is not a request for new debt authority, but rather for a renewal authorization for authorized general receipt obligations that have not been issued, or were issued in the form of non-permanent short term debt (Bond Anticipation Notes [BANS]). The attached table to the resolution, labeled as Exhibit A, details the original authorized amount of general receipt obligations, the authorized debt that has been retired or will not be issued, the obligations issued and outstanding as of April 30, 2009, and the total authorization requested within this renewal.*

The \$301,679,979 authorization being renewed is comprised of \$53,055,000 of obligations that are currently issued and outstanding in the form of BANS that mature in FY10, and \$248,624,979 of debt authorized but not yet issued, most of which is for Medical Sciences Building Renovation project.

This renewal of authority will now be performed annually in lieu of every three years as in the past. The purpose of an annual renewal is to keep all board members uniformly informed of previously board approved debt for which permanent debt may be issued in the future. The last renewal was approved on March 27, 2007, Recommendation Number 07.03.27.16.

The university provides a sufficient amount of margin of safety in the authorized amount to allow for market conditions. The actual debt amount is determined by the project needs and the market conditions at the time of issue.

**09.05.19.09 ESTABLISHMENT OF ROOM AND BOARD RATES
 2009 – 2010 ACADEMIC YEAR**

Synopsis: Authority is requested to establish Room and Board rates for the 2009 – 2010 academic year. The requested rate increase, in combination with scheduled expense reductions, will allow Housing and Food Services to achieve a balanced budget and eliminate its negative fund balance.

It is recommended that the Board of Trustees approve the room and board rates for the 2009 – 2010 academic year as they are listed below. These rates are a result of the evaluation of the capital and operating needs, occupancy rates, enrollment projections, market competitiveness, and contract service costs. Additionally, this recommendation establishes room rates for the University management of Stratford Heights in accordance with the Master Use Agreement.

| <u>2009-2010</u> | <u>2008-2009</u> | <u>% Variance</u> | <u>\$ Variance</u> |
|-----------------------------------|-------------------|-------------------|---------------------|
| Board Rates | | | |
| Meal Plans (per academic year) | \$3,711 - \$3,903 | \$3,534 - \$3,717 | 5% \$177 - \$186 |

*Filed in the office of the Board of Trustees

Room Rates

| | | | | |
|--|-------------------|-------------------|----|---------------|
| Undergraduate (per academic year) | \$5,799 - \$7,278 | \$5,523 - \$6,930 | 5% | \$276 - \$348 |
| Stratford Heights (per academic year) | \$6,285 - \$6,804 | | | |

Summer Contract

| | | | | |
|------------------------|-------------|-------------|----|------|
| Turner/ Schneider only | \$329/month | \$313/month | 5% | \$16 |
|------------------------|-------------|-------------|----|------|

Housing and Food Services management continues to improve the efficiency of their operation and have reduced operations and maintenance costs per square foot by 44% since 2001. This has aided in partially off-setting the substantial expense increases in debt service and utilities since this date.

The proposed rates, while necessary to meet the financial requirements of residence hall and dining operations, continue to demonstrate a sensitivity to market competitiveness. From FY 2001 through FY 2009, the average annual Room and Board rate increase for the University is 4.6%. This is one of the lowest rate increases of any State university during this timeframe. Additionally, during this period the University has significantly upgraded its operations with the opening of three new residence halls and one new dining center. A second, existing dining center also underwent extensive renovation in FY 2003.

In addition to upgraded facilities, Food Services has made numerous operational changes to enhance a nationally recognized meal plan program for students. These changes include continuous serving from breakfast through late night, a late night option until midnight every day, featured international cuisines, and the addition of independent (voluntary) meal plans for upperclass residents.

In accordance with the established Cash Policy of the University, both operations will achieve a positive net position. The Housing net position will be sufficient to retire the structural deficit of this operation.

The proposed rate increase would be effective July 1, 2009.

09.05.19.10 APPROVAL OF MANDATORY TUITION AND FEES FOR THE 2009-2010 FISCAL YEAR

Synopsis: Approval of the attached* Mandatory Tuition and Fees for the 2009-2010 Fiscal Year is requested effective Summer Quarter 2009.

The University has developed the attached Mandatory Tuition and Fees* for the 2009-2010 Fiscal Year after a transparent process that included input from the University community by way of discussion within committees comprised of students, faculty, deans, and administrators. These fees are in compliance with the Governor’s budget submission for the Fiscal Years 2010-2011 biennium but are still subject to the actions of the Ohio General Assembly and are therefore subject to any changes those actions may require. Compliance with the Governor’s budget submission results in no mandatory tuition and fees increase for undergraduate students. Mandatory tuition and fees for graduate and professional students will increase 3% with the exception of MD students whose mandatory tuition and fees will increase 5%. The proposed 2009-2010 Mandatory Tuition and Fees attached will be effective Summer Quarter 2009.

*Filed in the office of the Board of Trustees

09.05.19.11 TAFT MEMORIAL FUND

Synopsis: Taft Memorial Fund Budget for 2009-10

It is recommended that the Board of Trustees approved the attached* Taft Memorial Fund budgetary recommendations for the 2009-10 fiscal year.

09.05.19.12 CREATION OF THE HEALTH AFFAIRS COMMITTEE

Synopsis: It is recommended that the Board of Trustees approve the creation of the Health Affairs Committee, a new standing committee of the University Board of Trustees. It is also recommended that the Board approve a revision to University Rule 10-1-05 to reflect the addition of the Health Affairs Committee as a standing committee.

It is recommended that the Board of Trustees approve the creation of the Health Affairs Committee (the "Committee"), a new standing committee of the University Board of Trustees. The Committee shall oversee all activities that support the academic mission of the university's academic health center, including the university's relationship with board approved clinical practice plans as well as the University's affiliations with other healthcare providers, health-related academic institutes and programs, and other health and medical affairs. The Committee shall have the authority to consider and report to the Board on matters concerned with substantive aspects of policies and programs related to healthcare delivery as these relate to academic planning, instruction and research and the mission of the academic health center. The growing complexities of operating and supporting a modern academic health center provide a new impetus for the University to constitute this Committee.

A draft of new rule 10-1-10* creating the committee is attached, together with an amendment to University Rule 10-1-05* reflecting the addition of the Committee as a standing committee of the board. Also attached is a form of resolution* approving the creation of the committee and the associated changes to university rules.

09.05.19.13 FACULTY POLICIES FOR CLINICAL NON-REPRESENTED FACULTY IN THE COLLEGE OF MEDICINE

Synopsis: Policies for clinical faculty in the College of Medicine who are no longer represented by the AAUP

It is recommended that the Board of Trustees approve the proposed faculty policies* for clinical faculty in the College of Medicine. The agreement between the University and the AAUP to remove clinical faculty from the bargaining unit left the College of Medicine without policies applicable to this essential group of faculty. The proposed policies deal with reappointment, tenure, discipline, grievances, and salary minima and are the product of a representative group of the clinical faculty working jointly and successfully with the College administration.

In order to assess the effectiveness of these policies, the Provost and the Dean of the College of Medicine have agreed on a monitoring and evaluation process. In the initial year that policies are in effect, the policy drafting committee will monitor the implementation and operation of the policies. Committee membership during this monitoring period will be supplemented by one representative from the College of Medicine Faculty Forum and one from the Provost's office. In performing its duties, the committee shall seek and provide a formal opportunity for input from

*Filed in the office of the Board of Trustees

the Dean of the College of Medicine, the clinical faculty of the College, the department heads of the clinical departments and the UC Faculty Senate. All such input, together with any recommendations for changes to the policies approved by a majority of the committee and the rationale, therefore, shall be submitted to the Provost no later than April 2010. No later than June 2010, the Provost and the Dean will advise the Board of Trustees on the status, effectiveness, and, if any, proposed revisions to the policies.

09.05.19.14 RESOLUTION CONFERRING EMERITUS STATUS FOR RETIRING VICE PRESIDENT AND CHIEF INFORMATION OFFICER

Synopsis: Recommendation that the Board approve emeritus status for Fred Siff, who retires in September as the Vice President and Chief Information Officer

It is recommended that the Board of Trustees approve the following emeritus status for Fred Siff effective upon the date of his retirement from the University.

Fred Siff, Vice President and Chief Information Officer Emeritus, University of Cincinnati.

09.05.19.15 THE UNIVERSITY OF CINCINNATI CENTER FOR FIELD STUDIES

The name, "Cincinnati Center for Field Studies," was coined during the McMicken College of Arts and Sciences administration in 2005. This is the currently used name for the University of Cincinnati's field station. The official name would be changed to The University of Cincinnati Center for Field Studies.

Qualifications: The first reference shall always be the official name and the second reference may use UC Center for Field Studies.

09.05.19.16 W. BRIAN GIBLER EMCREG-INTERNATIONAL CHAIR FOR EDUCATION IN EMERGENCY MEDICINE

It is recommended that the Board of Trustees approve the naming of the W. Brian Gibler EMCREG-International Chair for Education in Emergency Medicine. EMCREG in Emergency Medicine Cardiac Research and Education Group was founded by Dr. Gibler in 1989. His pledge of \$2 million was paid in full in June 2008.

09.05.19.17 DESIGNATION OF OFFICERS TO SERVE AS REPRESENTATIVES OF THE UNIVERSITY WITH OTHER PUBLIC ORGANIZATIONS

Synopsis: Annual resolution designating officers to serve as representatives of the University in outside public organizations for insurance and indemnification purposes.

It is recommended that the Board of Trustees approve a resolution in the form below designating University officers to serve on the boards of outside organizations as representatives of the University. A resolution of this type is passed annually to avoid conflict with state ethics laws, and to assure that University representatives are protected in the event of litigation arising out of their service on boards undertaken on behalf and at the direction of the University.

BE IT RESOLVED, that the officers name on the attached list* are hereby designated, as representatives of the University of Cincinnati, to serve as officers, directors or trustees of the organizations set forth next to their respective names, such designees to serve in these capacities as part of their official responsibilities to the University of Cincinnati, entitling them to any insurance or indemnity protection to which officers and employees of the University now are or hereafter may be come entitled; and

BE IT FURTHER RESOLVED, that this resolution shall constitute formal direction to the designees to served on the aforesaid boards.

09.05.19.18 Renewal of State University Police Agencies' Mutual Aid Agreement

Synopsis: It is recommended that the Board renew the Mutual Aid Agreement between the 12 State University Police Agencies.

In accordance with Ohio Revised Code Section 3345.041, the Board of Trustees is permitted to enter into mutual aid agreements with the police departments of other state universities. The university is currently a party to a four year Mutual Aid Agreement between all 12 State University Police Agencies that will soon expire. The attached agreement is a renewal of that contract. The agreement allows the university departments to share resources if there is a mutual agreement to do so, and sets forth the authorities and limitations for the sharing of resources.

It is recommended that the Board approve a renewal of the Mutual Aid Agreement.

A copy of the agreement* is attached.

Governance and Audit Committee Recommendations

09.05.19.19 RESEARCH COMPLIANCE ANNUAL REPORT

It is recommended that the Board of Trustees approve the Research Compliance Annual Report. At its January, 1997, meeting, the Board of Trustees adopted a written Integrity Program Compliance Manual that was effective January 1, 1997. The Program coordinated several on-going monitoring, education and auditing programs into a single, coordinated effort to ascertain compliance with accrediting bodies, federal and state regulations governing medical practice, reimbursement, and research compliance. The Compliance Plan calls for an annual report to the Board of Trustees provided by the Vice President for Research. Attached* is the Annual Report for 2008.

Action Items

Mr. Niehoff:

The full Board has been present at the Committee meetings and has received the recommendations of the Academic and Student Affairs, the Board-Administration, the Physical Plant, and the Finance Committees. The items reviewed and recommended by

*Filed in the office of the Board of Trustees

the Committees are named in the Action Items list at your place. May I have a motion to approve all of the recommended items?

Upon motion of Mr. Humes, seconded by Mr. Wyler, the Board approved the items recommended by the Committees by the following roll call vote:

Recommendation Nos. 09.05.19.01 through 09.05.19.19

AYE: Mr. Niehoff, Mrs. Heimann, Mr. Barrett, Mr. Wyler, Mr. Heiman
Mrs. Buchanan, Mr. Humes, Mr. Richardson and Mr. Chesley

NAY: None

ABSTAIN: Mr. Niehoff on 09.05.19.06, 09.05.19.07 and 09.05.19.08

ABSENT: None.

Unfinished Business and New Business

Mr. Niehoff:

The next item is unfinished business. Is there any unfinished business? Next item are the reports of our board representatives and student trustees. The first report is the Faculty Senate and I call upon Marla Hall.

Faculty Senate Report

Dr. Hall:

Thank you, Chair Niehoff. As you might expect, the Faculty Senate has continued its high level of activity during the past two months. We have faculty senators and/or faculty elected by the Faculty Senate serving on the Collegiate Restructuring Committee and subcommittees, the Semester Conversion Steering committee and subcommittees, the Veteran's Affairs Task Force, the Darwin Sesquicentennial, the Centers of Excellence Committee, the Proudly Cincinnati Campaign and the Presidential Search Committee as well as on the many All-university governance committees. We

also had several faculty representatives participate in the Higher Learning Commission site visit that, as was noted earlier, was very highly successful.

At the April meeting of the Faculty Senate we passed two resolutions. We endorsed the ‘Statement of Principle’ portion of the Religious Observance Policy and we passed a resolution declaring the vote of the College of Medicine faculty on a proposed faculty handbook to be invalid—primarily on the basis that the vote that was conducted was not by secret ballot. We should not here that this vote preceded the compromise that was later worked out and referred to in the Administration and Finance report.

Also in April, the Faculty Senate joined with the Graduate Student Government Association and the Undergraduate Student Senate in holding the first joint meeting of all three governance groups. At that meeting three resolutions were passed by all three bodies. The resolution from the Faculty Senate called for the formation of a committee of faculty, students and staff including administrative staff to develop policies and procedures for the periodic review of upper level administrators. Also at that meeting President Zimpher and now Interim President Monica Rimai gave their presentation on ‘Maintaining the Momentum’ and President Zimpher was honored for her commitment to governance with a certificate from the three governance bodies. There was also a very hearty discussion on semester conversion, performance based budgeting, restructuring and other topics.

Last week was the Spring meeting of the All-university faculty. The highlight of that meeting was the annual report from the Provost’s office that concluded with a panel discussion with both administrative and faculty representatives answering questions about semester conversion and the restructuring activities. Also at that meeting the faculty approved five proposed changes to the faculty by-laws—mostly dealing with election processes and procedures. These proposals resulted from the hard work of the Faculty Senate ad hoc committee on by-laws and governance. The two subcommittees of that committee continue to work on additional by-laws revisions to be considered at the October all-university faculty meeting and on developing a model/template for college

level by-laws and governance that we are preparing to assist colleges in developing or modifying their college by-laws.

The Faculty Senate held a special meeting on April 23 to give input into the Presidential Search and although the attendance was not high, there was considerable input and ideas put forth by those who were there. In addition, at the May Faculty Senate meeting held last week, the senators were given additional opportunity to comment on the qualities and qualifications desired in our next president.

Finally, there are two events this week. On Thursday, will be the Faculty Awards Ceremony at the Great Hall in Tangeman University Center from 3:00 pm to 5:00 pm and I invite all of you to attend that very special recognition of many faculty here at the university. Beginning on Friday we will be holding all-university elections to elect a chair-elect for the 2010-2012 term, a Board of Trustees representative, the secretary of the faculty, at-large senators, and grievance committee members. This concludes my report for the May 19, 2009 meeting of the Board of Trustees.

Mr. Niehoff:

Thank you, Marla. The next report is the Alumni Association Report, Steve Simendinger.

Alumni Association Report

Mr. Simendinger:

Thank you, Mr. Chairman. The Alumni Association focuses on engagement of alumni and future alumni and this past weekend we hosted Alumni weekend. The Golden Bearcat Brunch on Sunday honored the Class of 1959 and was really a lot of fun. We had eleven different colleges holding alumni events this weekend so it was a very active weekend for us.

Little Sibs' weekend was held May 1st through 3rd with about 200 UC students and their younger brothers and sisters attending. The Alumni Association is very involved with the June 20th Major League Baseball Civil Rights Game. The Reds will be hosting the Chicago White Sox and the game will be the centerpiece of a weekend that celebrates diversity, equality and opportunity. We are expecting a very large contingent of UC alums at the game.

UC Alumni Scholarship applications rose dramatically for the upcoming academic year. We have two major scholarships, the Demakes Legacy Scholarships and the regional alumni network scholarships. We had heavy applications for both of those scholarships.

We've added approximately 500 new sustaining or life members since October and we hope to add a significant number from our new class of 2009 graduates (hint, Mr. Rosensweig).

Mr. Rosensweig:

Already there.

Mr. Simendinger:

Thank you. Last evening the Alumni Board, I am very pleased to report, approved a \$250,000 Phase One renovation to the Myers Alumni Center which we'll be commencing as soon as we possibly can. This building has not been updated since 1987 and we at least hope to update the exterior signage, do some additional landscaping (especially the north end here), replace our decaying ramp out front and add an entry canopy. We will also be updating with paint and other common area improvements including the entryway and the fireplace area. Eventually we even hope to upgrade this room, but we will be fundraising for the funds for that. Phase One will be targeted for completion approximately a year from now. So please excuse our dust, but I am very proud of this project. Thank you.

Mr. Niehoff:

Next, our student trustee reports. Our first report is our Graduate Student report from Diana Hechavarria.

Graduate Student Report

Ms. Hechavarria:

Thank you Mr. Chairman and good morning. I am happy to report that the Graduate Student Governance Association is holding its annual Graduate Student Excellence Awards this first week in June. This event is the GSGA's opportunity to recognize outstanding graduate student research in the Physical Sciences & Engineering, Life Sciences, Social Sciences, and also the Arts and Humanities

In addition, our event will recognize students for Exemplary Initiatives among Graduate students; an Outstanding International Graduate Student; as well as Graduate Student of the Year. And also we will be recognizing an outstanding graduate student group for programming and engagement within their respective department.

I'm also pleased to report that for the first time the Graduate School will be hosting a Grad Student Welcome event this FALL by to help greet and introduce new graduate students to the University of Cincinnati and the surrounding communities.

The Graduate School has improved and added new features to the Graduate Student Accomplishment website. Here you can find information about the research and work of our 8000 graduate students at UC. You can find a link to this website on the Graduate School website.

And speaking of research, the GSGA has currently funded about \$150,000 in conference travel for graduate students from the University of Cincinnati to present their research at national and international conferences. I'm also delighted to announce that the GSGA will be working with Dr. Sandra Degen's office next year in order to advance

research programs, such as the ones we currently have now and Dr. Degen has committed to \$10,000 to advance our current initiatives and also feature graduate student research nationally and internationally.

Finally, the Graduate School is actively pursuing the on-campus graduate student housing initiative. As many of you are aware, and was mentioned at this meeting, there is currently no on-campus housing dedicated solely for graduate and professional students, as well as students with families. Recommendations from Graduate and Family Housing Task Force which was completed and submitted to University administration this past December on the state of Graduate Housing, are under consideration for implementation with assistance of the Graduate School. As a result of the report, we hope to streamline our current bearcat transportation system to help facilitate transportation to and from campus within the next year. This concludes my report for today and thank you.

Mr. Niehoff:

Thank you, Diana. Next report is the Undergraduate report from Mr. Seth Vensil.

Undergraduate Student Report

Mr. Vensil:

Thank you Mr. Chairman. Spring quarter always brings out the best in UC traditions. Recently, the Greek Community banded together to raise \$38,000 for Greek Week. The money was once again donated to the Make-A-Wish Foundation which was used to grant the wishes of terminally ill children. Just this past weekend, Sigma Sigma held its 70th Carnival with a James Bond-esque theme and a tag line of "The Carnival Never Dies!" This event is always a success and I would like to thank the men of Sigma Sigma for putting on such a well-run and enjoyable event for the campus and surrounding community.

A note on athletics, the University of Cincinnati Dance Team once again gave a stellar performance recently. I know that President Rosensweig would love to comment on that. We all know that our Dance Team holds several National Titles, but they competed as Team USA at the International Cheer Union World Championships in Orlando Florida. They took home the gold medal in three events – jazz, hip-hop, and freestyle. Really, the best dance team in the world and they’ve got the medals to prove it. Also, five UC swimmers competed in the Charlotte UltraSwim Competition this past weekend. UC Swimmer Josh Schneider, even though he raced in a separate heat, posted a time that bested Olympian Michael Phelps. We are certainly proud of Josh.

Just recently, the Student Activities Board held its celebration of student involvement with our very own Rob Richardson as the keynote speaker, speaking on the importance of student involvement and all the various student organizations do for campus and campus life. Our student group of the year was Engineers without Borders. They are a group that traveled to Africa and helped a village with getting clean water for their village. (*Inaudible*)

Before I turn over the mic for the last time, let me say that it has been an honor and a pleasure to serve the University of Cincinnati as the Undergraduate Student Trustee. I have learned so much about UC and administration and myself in the whole process. I am truly grateful to Student Government and Governor Ted Strickland for allowing me to have this opportunity. As I look forward to graduation and back over my time as an undergraduate, I feel confident in saying that my work here is done...at least on this campus. I will be heading over to east campus where Dean Stern will have to put up with me for the next four years. The rest of you will get a break until I get free from Medical School and can come back over here.

Without further ado, let me introduce my successor, Kyle Quinn, and I think he has just a few remarks.

Mr. Quinn:

Sure, and I think we owe Seth a quick round of applause for his service. *(Applause)* I just want to be brief and thank all of you here today. I thank the Search Committee, the current board members, the Board of Regents, Governor Strickland and obviously the faculty, staff and administration of the University of Cincinnati for the continued commitment and service to our university which we all love near and dear to our hearts. Obviously in their efforts in making the appointment of the new undergraduate student trustee became a recurring theme this morning in some of my introductions that in just one year, I am a first year student, that the University of Cincinnati has provided me with opportunities that are unimaginable and beyond belief. It is with great pride and service that I serve the Board of Trustees and the university in the role of undergraduate trustee. I'm humbled and honored by the appointment, excited to begin in this capacity and really look forward to continuing the vision of the board and further defining the new urban research institution through my involvement. So thank you again for having me here today and I look forward to getting to know all of you individually and working with you to continue to make the University of Cincinnati the best place possible. As a former Michigander, thank you for your kind views – I am slowly but surely turning buckeye – not that kind of buckeye, but it's a lot easier further down south than Columbus. Thank you and I'm really appreciative of the opportunity.

Mr. Niehoff:

Thank you and thank you, Seth. The next report is from the Student Government.
Ryan?

Student Government Report

Mr. Rosensweig:

Thank you, Chairman Niehoff. As this is the last meeting for which I will be reporting to the board as student body president, I have several responsibilities for today.

First, I'll update you on our student body. Seth did a great job sharing about the dance team but it wasn't freestyle it was pomp was the third routine – you should have been there. These past few weeks have been filled with dynamic change. As we bid

farewell to veteran leaders and welcome in the new, we have continued to develop our initiatives and celebrate our success. In this room, like Seth said, we held another successful governmental affairs dinner. The focus of the conversation was on the effect of the economy on current students and graduates. We had faculty, staff and representatives even from the Board of Regents come down and discuss the issue. There were terrific questions that were asked and our understanding and concern was reaffirmed; however our hope and inspiration was lifted.

As students we also played major roles in rooting on our Bearcats at the Red & Black game, we provided our feedback and assistance with Accreditation, and relaxed in the sun while visiting International Week, Greek Week, Visibility Week, and a multitude of celebrations recognizing our diversity and community on campus. We also competed in several intense weeks of Student Government campaigning and elections, where words around the importance of diversity, sustainability and community were echoed, but also the messages of spirit and pride. We elected 8 new at-large senators and one new slate of President and Vice President, and with this comes my next responsibility.

Next to me is Mr. Tim Lolli, he has now officially assumed the role of student body president, taking office last Friday. Tim and I spent several weeks transitioning and ensuring that we will continue to exceed all expectations. Tim and his partner, Doug Ealy, have already taken a leap as we prepare to launch our first iteration of the Housing Websites, offering images and filter searchable qualities and price ranges of available facilities in the uptown area. I have full confidence in Tim, and know you will see extraordinary results from he and his gifted team of student leaders.

Finally, I'd like to thank you for your continued dedication to the student body and inclusion of our representatives in our university's future. Your open minds and broad visions allow us to learn and share as we lead our university towards its destiny of greatness. I appreciate the time which we were able to spend together, and am confident that this will continue within our university community and beyond. I too will be sticking around for another two years, probably changing my attire from a suit to

something a lot more innovative as I pursue a Masters in Design and the College of Design, Art, Architecture and Planning as well as a Master in Marketing a good old faithful COB. So, once again, thank you very much and I'd like to yield to Tim to say a few words, but really appreciate your support and I am confident that Tim will do a terrific job.

Mr. Lolli:

Thank you. I have heard the words maintaining the momentum quite a bit today so I would like to echo the gratitude towards Ryan for easing the transition process and making it as painless as possible, so thank you Ryan. I would also like to take a moment to applaud him again. (*Applause*)

I'd like to mention my running mate was Douglas Ealy. Some of the things that we are looking forward to doing in the next year is creating a more engaged campus for students, so students can feel a greater sense of place while being a student at UC. Along with that, we are also looking to create a greater sense of pride in being a UC student. I am very proud to announce that we have already created a new Executive Board with partnerships of different student groups and the backing of student government with the blessing of the Athletic Department to have a new Executive Board made up to ten UC students which are going to be working at generating, maintaining, improving and working towards greater traditions at UC and improving attendance of UC students at different athletic events. We're also looking toward progressing the partnerships that have already been developed and maintaining them for the next year and the years to come. So with that, I'm very excited as well and looking forward to working with all of you in the next year. Thank you very much.

Mr. Niehoff:

Thank you, Tim. Thank you, Ryan. Is there any other new business?

Mr. Chesley:

I just want to, I'm sure the whole board welcomes our new president. It is good to see you in that chair. I enjoyed being in your first meeting with you and I look forward to working with you. I have a very tough time using the word Interim...

President Rimai:

I don't. (*laughter*)

Mr. Chesley:

I'm sure the whole board concurs and everybody here and you're immediately hitting the road running and we do appreciate it. Thank you.

President Rimai:

Thank you, Mr. Chesley.

Mr. Niehoff:

Thank you, Stan.

Mr. Richardson:

Mr. Chairman, I would also like to congratulate our new president and also congratulate our former student body president and the former undergraduate student trustee. I've enjoyed serving with you on my first year and I look forward to working with you guys as you continue to be here at the university. To the current student body resident and current undergraduate student trustee, good luck in your new venture. I learned so much being student body president it really helped develop me as a person, develop me as a leader, and you are going to find that you are going to gain experiences that are going to be just really invaluable. I implore you to really enjoy this time and to learn as much as you can and to engage as much as you can.

Mr. Niehoff:

Thank you, Rob.

Mr. Rosensweig:

And if I may, thank you very much. Seth and I look forward to seeing every one of you sitting on stage at our commencement. I'm in the morning and he is in the afternoon. We are really glad we will have full attendance this year at both ceremonies, so thank you.

Mr. Niehoff:

Thank you, Ryan.

Dr. Hall:

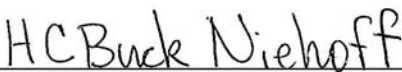
I'd like to take this opportunity to thank Andrea Kornbluh who is retiring from her position. Our faculty representatives don't really speak at the Board of Trustees meetings, but Andrea has been particularly good at reporting back to the Faculty Senate and taking part of activities. I really appreciate her work as well. Thank you, Andrea. *(Applause)*.

Mr. Niehoff:

Our next regular board meeting will be on Tuesday, June 23rd and I thank you all for being here today.

Adjournment

There being no further business before the Board, upon proper motion and second, the meeting adjourned at 11:05 a.m.



H.C. BUCK NIEHOFF
CHAIRPERSON



C. FRANCIS BARRETT
SECRETARY